

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

GREATER BOSTON LEGAL SERVICES, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HOMELAND  
SECURITY, *et al.*,

Defendants.

Case No.: 1:21-cv-10083-DJC

**DECLARATION OF JOHN T. MONTGOMERY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, John T. Montgomery, hereby declare as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts, and I am admitted to the Bar of this Court.
2. I am an attorney at the law firm of Ropes & Gray LLP, counsel to Plaintiffs in the above-captioned matter.
3. I have personal knowledge of the facts stated in this declaration and, if called to testify, would competently testify thereto.
4. Exhibit 1 is a true and correct copy of Defendants' Responses to Plaintiffs' Revised Third Set of Interrogatories, Response to Interrogatory No. 1.
5. Exhibit 2 is a true and correct copy of the Affirmative Asylum Procedures Manual, starting at Bates number USCIS00004082.
6. Exhibit 3 is a true and correct copy of the USCIS Records Policy Manual, starting at Bates number USCIS00016389.

7. Exhibit 4 is a true and correct copy of Excerpts of the Deposition Transcript of David Pilotti, dated June 28, 2024.
8. Exhibit 5 is a true and correct copy of Excerpts of the Deposition Transcript of Kim Sicard, dated August 2, 2024.
9. Exhibit 6 is a true and correct copy of a November 21, 2024 Declaration of John Willshire-Carrera, co-director of the immigration unit at Greater Boston Legal Services (GBLS), a Plaintiff in this case.
10. Exhibit 7 is a true and correct copy of a November 8, 2023 Declaration of Stefanie Fisher, of counsel at the law firm Araujo & Fisher, LLC and a Plaintiff in this case.
11. Exhibit 8 is a true and correct copy of the June 3, 2013 USCIS Policy Memorandum, starting at Bates number USCIS00004332.
12. Exhibit 9 is a true and correct copy of the RAIO Combined Training Module on Note-Taking, starting at Bates number USCIS00008040.
13. Exhibit 10 is a true and correct copy of the USCIS Policy Manual, starting at Bates number USCIS00016720.
14. Exhibit 11 is a true and correct copy of the April 20, 2007 USCIS Interoffice Memorandum Re: Amendment of Section XVII of the ABC-NACARA Procedures Manual, starting at Bates number USCIS00007656.
15. Exhibit 12 is a true and correct copy of an August 14, 2023 email between an attorney at Northwest Immigrant Rights Project and Senior Asylum Officer at San Francisco Asylum Office, starting at Bates number USCIS00004384.
16. Exhibit 13 is a true and correct copy of excerpts of the Deposition Transcript of Robert Tisdale, dated April 5, 2024.

17. Exhibit 14 is a true and correct copy of the December 10, 2020 USCIS Web Page titled *Benefits of a USCIS Online Account*, starting at Bates number USCIS000008609.
18. Exhibit 15 is a true and correct copy of a November 19, 2024 Declaration of Stefanie Fisher, of counsel at the law firm Araujo & Fisher, LLC and a Plaintiff in this case.
19. Exhibit 16 is a true and correct copy of the USCIS Record of Proceeding Order Training (ROP), starting at Bates number USCIS00019244.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22 2024, in Boston, Massachusetts.

/s/ John T. Montgomery

John T. Montgomery (BBO #352220)

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2024 this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Date: 11/22/2024

/s/ John T. Montgomery  
John T. Montgomery